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PART – I

Notifications, Orders and Declarations by Haryana Government

HARYANA GOVERNMENT

PUBLIC HEALTH ENGINEERING DEPARTMENT

Notification

The 10th January, 2022

No. 1/29/2018-2PH.— The online policy to regulate the transfer of Junior Engineer (Mechanical) in Public Health Engineering Department, Haryana is notified herewith which shall come into force with immediate effect.

1. **Vision:** To ensure equitable, demand based distribution / posting of Junior Engineers to protect public interest and effect transparency.
2. **Definitions:** In this policy, unless the context requires otherwise:
 - (i) “Service” means a service in which a Junior Engineer (Mechanical)/ Additional Sub Divisional Engineer (Mechanical) is working on regular basis, on promotion from field staff whether on regular basis or Current duty Charge/Look After Charge or after reversion from Sub Divisional Engineer (Current Duty Charge/Look After Charge) or return from deputation.
 - (ii) Reference to “he” includes “she” too.
 - (iii) Department means “Public Health Engineering Department, Haryana.”
 - (iv) Junior Engineer means “a member of the service as defined at (i) above and includes Junior Engineer (Mechanical) & Additional Sub Divisional Engineer (Mechanical).
 - (v) Sub Division means Public Health Engineering Sub Division (Mech.) under administrative control of Public Health Engineering Department, Haryana.
 - (vi) Division means Public Health Engineering Division (Mech.) under administrative control of Public Health Engineering Department, Haryana.
 - (vii) Circle means Public Health Engineering Circle (Mech) under administrative control of Public Health Engineering Department, Haryana.
3. **Main features:**
 - (i) Junior Engineers who are members of State Cadre are liable to be transferred anywhere in the State, at any point of time as per provisions of this policy.
 - (ii) This transfer Policy shall be applicable from the date of its publication.

4. Basic Principles:

- (i) The option once availed and confirmed shall be final and can be changed only under the provisions of this policy. Unless protected under a provision of this policy, every Junior Engineer completing maximum 5 years of stay in a Sub Division subject to maximum 10 years of stay in Division has to be compulsorily shifted to another Sub Division or Division respectively.
- (ii) In case, any Junior Engineer having completed 5 years of stay in a particular Sub Division or 10 years in a Division does not submit his preference to another Sub Division or Division as describe at Sr. No.5 of this policy then he is liable to be posted anywhere as per the vacancy.

Once posted at one station, he will not be allowed to submit his option for 3 years and will be transferred as per provisions of policy thereafter.

In case of those Junior Engineers (Mechanical) who have exhausted their preferred choices, before posting them 'Anywhere in the State', the department shall again seek their options against the remaining available posts at that point of time.

- (iii) Any Junior Engineer who has completed 5 years of stay in a particular Sub Division or 10 years in a Division cannot opt for his transfer within the same Sub Division or Division. This option will not be available for him.
- (iv) The posting of the Junior Engineer, in a particular Sub Division or Division on his transfer, will be effected on the basis of the number of vacancies in a particular Sub Division or Division.
- (v) The vacancies in a Division/Sub Division will be filled up on the basis of number of vacancies.
- (vi) The Junior Engineers having 12 months or less in retirement shall not be transferred, if they are not willing to participate in transfer drive.
- (vii) Minimum stay for seeking transfer shall be three years after which he can participate in transfer drive but option for transfer within the same zone will not be available for him.
- (viii) Junior Engineers declared surplus from a Division/Sub Division as part of the rationalization of posts shall compulsorily participate in the transfer drive. In case of their non-participation in transfer drive from any reason their salary from such posts shall be stopped and the department shall be at liberty to post them at any station across the state in the Division/Sub Division having high deficiency of Junior Engineers.
- (ix) The transfer exercise shall be carried out only through approved web based application.
- (x) The Junior Engineers transferred on administrative grounds of misconduct will not be transferred back to the same Sub Division from where they were transferred on such grounds.
- (xi) The Junior Engineers aggrieved with the transfer process can represent to the department after joining at new place of posting within 15 days of issuance of orders. Their representation shall be considered in accordance with the policy and appropriate decision shall be conveyed to him as deemed fit.
- (xii) In the event of tie among the same category of employees, preference will be given to a female Junior Engineer over male Junior Engineer.
- (xiii) In the event of tie among the Junior Engineers when both are male or female, the preference will be given to the employee with disability or couple case.
- (xiv) No request for mutual transfer will be considered.

5. Zoning of Department: The field offices of Haryana Public Health Engineering Department have been broadly classified into Sub Division or Division or Circle for the purpose of transfer of JEs. The administrative control of Sub Division or Division or Circle offices is attached at **Annexure-A**.

6. Procedures:- It will involve following procedures:

- (i) Preparation of provisional actual vacancy list and deemed vacancy list.
- (ii) Rationalization of posts.
- (iii) Notification of list of vacancies to be filled/blocked.
- (iv) Seeking preferences for choice of zones.
- (v) Processing the list as per choice of zones.
- (vi) Generation of transfer orders.

Notification of dates for each process will be made by the competent authority.

7. Time Schedule:

- (i) Periodicity of the transfers: General Transfers will be made only once in a year, or as specifically notified by the Government for a given year. However, transfer/posting necessitated by promotions/ direct recruitments, posts needed to be filled up in public interest, can be made anytime. Further, the transfer of Junior Engineer spouses of employees of Departments/ Organizations of Government of Haryana or Central Government can also be made on requests at any time.
- (ii) The following time schedule shall be followed, so far as feasible, for various activities every year:
 - (a) Opening/ shifting of new Public Health Engineering Department Sub Division/Division shall take effect generally in April of succeeding year or as per requirement. But the posts in respect of such new/shifted Haryana Public Health Engineering Department Division offices shall be accounted for during opening / shifting.
 - (b) Transfer orders will be issued in the months of April every year.
 - (c) Qualifying date for actual vacancies, deemed vacancies, weightage/merit points calculation, court of stay shall be 31st March of the year under consideration.
 - (d) The transfer process will start in the month of December and will be completed by end of March of each year as per the following scheduled:-
 - (i) Decision about opening of new subordinate offices, rationalization of staff shall be done from 1st January to 31st January every year.
 - (ii) The actual vacancies and deemed vacancies will be notified from 1st February to 28th February.
 - (iii) The eligible employees will submit their choice of station online from 1st March to 15th March.
 - (iv) Transfer orders will be generated and issued from 1st April to 15th April.
 - (v) The orders will be effective from 1st May.

The above schedule may be separately notified by the Govt. at the start of the policy or during any year as per the requirement, otherwise the schedule given above will be followed.

8. Merit criteria for allotment of posts in a Zone:

- (i) Decision of allotment to a vacancy shall be based on the total composite score of points earned by a Junior Engineer, out of points earned against a) age, b) Second set of merits point, c) other points as described below. The Junior Engineer earning highest points shall be entitled to be transferred against a particular vacancy in the zone as per his option.
- (ii) Age shall be the **prime factor** for deciding the claim of the Junior Engineers against a vacancy since it shall have weightage of 60 points.
- (iii) However, to take care of categories like women, women headed households, widows, widowers, differently abled persons and serious ailment, a privilege of maximum 20 points can be availed by the Junior Engineers of these categories (hereinafter to be referred as atb) The second set of merit points).

The division of points shall be as given in para 8 a), 8 b) and 8 c) below:-

(a) Age:-

Sr. No.	Major Factor	Sub-Factor	Max. Points	Criteria for Calculation
1.	Age (Present date minus Date of birth)	Eldest person shall get maximum points	60	Age in number of days/365 (maximum four decimal points only)

(b) The Second Set of merit points will come from the special factors enumerated hereinafter with a cap of maximum 20 marks irrespective of the merit point earned:

Sr. No.	Major Factor	Sub-Factor	Max. Points	Explanation
1.	Gender	Female	5	05 points shall be given to all female Junior Engineers

Sr. No.	Major Factor	Sub-Factor	Max. Points	Explanation
2.	Special Category female Junior Engineers	Widows/divorced/legally separated/unmarried female employees/Junior Engineer more than 40 years of age/ wife of serving Military personal/ Paramilitary personal working outside the State	5	All females of this category shall be given 5 marks only.
3.	Special Category male Junior Engineers	Widower who has not re-married and has one or more minor children and / or unmarried daughter(s)	5	Eligible widowers shall be given 5 points only. In case of re-marriage of self or children becoming major or daughter getting married, the employee will have to update his profile on the portal and will not be eligible for this advantage any more.
4.	Differently abled persons	Locomotors/Ortho	20	40% to 60% disability= 10 Marks.
		Deaf & Dumb	20	Above 60% to 80%=15 Marks
		Vision	20	Above 80%=20 Marks
5.	Diseases of "Debilitating Disorders"	Self, Spouse or unmarried children	10	Valid certificate issued during last one year by AIIMS (Including its branches in Haryana), PGI Rohtak, PGI Khanpur Kalan, Kalpana Chawla Medical College Karnal, PGI Chandigarh or Duly Constituted Medical Board only or any other institute authorized by the Govt. from time to time.
6.	Specially abled or mentally challenged children	Men/Women having mentally challenged or 100% differently abled child	10	Men/Women Junior Engineers having mentally challenged or 100% differently abled children shall be provided maximum 10 points.

(c) Other Points

1.	Couple case	Male/Female spouse	5	Employees' spouses working in state Govt., center Govt., PSUs created under acts or rules.
2.	Earning performance	An employee earning good performance through ACR of last one year. Any ACR during the last 3 years, if last ACR not available.	5	Grading of ACR Outstanding = 5 Very good = 3 Good = 2 Others =0

3.	Negative performance	An employee awarded with punishment during the period under : (i) rule-4(b) (ii) rule-4(a)	(-) 7 (-) 3.5	Deduction of points: Under Rule		
				Punishment awarded	4(b)	4(a)
				1 case	1	0.5
				2 cases	2	1
				3 cases	4	2
				4 cases	5	2.5
				5 & above cases.	7	3.5
				Both reductions to be made if punished under both.		

Note:—

- (i) Only notified diseases shall be considered for merit points under the category of “Diseases of Debilitating Disorders” by the competent authority or Health Department, Haryana.
- (ii) Junior Engineers suffering from:-
 - (a) 100% locomotor (Ortho) disability for any reason; or
 - (b) currently suffering from cancer; or
 - (c) having undergone bye-pass heart surgery; or
 - (d) kidney transplant; or
 - (e) currently undergoing dialysis;

shall be assigned 80 points (60 for age factor and 20 for special points factor) if they are willing to participate in a transfer drive. Otherwise, they shall not be transferred, if they are not willing to participate in a transfer drive. However, the certificate of cancer should not be more than six months old. Further, there will not be any bar to opt any Zone/ Divisions/Sub Divisions for these categories of Junior Engineers.
- (iii) After the transfer drive, the ‘newly married’ or ‘recently divorced’ female employees shall be given preferred place of posting against vacancy upon request. However, they shall have to participate in the next transfer drive being married or widowed and at that time they shall be adjusted at any of their top three choices against available vacant posts.
- (iv) There shall be separate zone of choice known as “Anywhere in the State”. The Junior Engineers opting for this special optional zone shall not be eligible to give preferences of zone. The Junior Engineers of this category shall be utilized by the department in the Divisions / zones having high deficiency of Junior Engineers in any Zone/Division.

9. Definition of vacant posts:

- (i) There shall be two types of vacancies as under:
 - (A) **Actual Vacancy:** A post not occupied by any Junior Engineer whether serving in regular capacity or by a temporarily employed.
 - (B) **Deemed Vacancy:**
 - (a) Involuntary deemed vacancy: A post held by a Junior Engineer(Mech) in a particular Sub division in department in any capacity for a continuous period of five years or more or 10 years in any particular Division on the qualifying date .

A post occupied by a Junior Engineer given temporary manual posting due to non-availability of online transfer drive or technical problems or compulsions of administrative or litigational nature. However, it will not include the posts occupied by Junior Engineers who become duly posted as an outcome of the grievance redressal mechanism of a general transfer drives.

- (b) Voluntary deemed vacancy: A post occupied by such Junior Engineer who has been adjudged eligible and allowed to participate in general transfer drive, even if, he is not eligible otherwise on the minimum tenure criteria.
- (ii) Some vacancies of Junior Engineers may remain unfilled at any given point of time due to shortage of Junior Engineers in the department. To avoid disproportionate concentration of Junior Engineers in some Divisions/Sub-Divisions/Zone, the department may block some actual vacant posts to be kept vacant in the transfer drive. The gap in sanctioned strength and actual number of JEs available will be evenly distributed over various divisions / zones to block the vacancies.
- 10. Power of relaxation:** Notwithstanding anything contained in the policy, the Administrative Secretary, Public Health Engineering Department with the prior approval of the Chief Minister, Haryana, shall be competent to transfer any Junior Engineer to any place in relaxation of any or all of the above provisions after recording reasons justifying such relaxation.
- Further, a Committee headed by the Deputy Commissioner and comprising of CMO and Superintending Engineer of this Department, may recommend deputation/ temporary transfer of an employee after the transfer drive, on the basis of genuine and compelling reasons. A web portal should be provided for taking online applications from the employees for this purpose. The Committee will scrutinize such cases and send their recommendations to the Government which will be dealt under this clause.
- 11. No TA/DA** will be given, if the transfer is done on the request of the employee himself by giving relaxation of the transfer policy and he/she is given a posting of his/her choice.
- 12. Clarification & Implementation:** In case of any doubt or difficulty in making out the true intention of the provisions of this policy, the Administrative Secretary of the department shall be competent authority to clarify such doubt or to remove such difficulty by issuing a reasoned order to this effect.
- 13. Bar against canvassing:** No Junior Engineer shall canvass for his/her case and bring any outside influence.
- Note.**— In the first phase negative performance points due to punishments etc. will not be taken into account.

A. K. SINGH,
Principal Secretary to Government Haryana,
Public Health Engineering Department.

Annexure-A

Sr. No.	Name of Circle	Name of Division		Name of Sub Division
1.	Ambala (Mech.)	1.	PHED (Mech.) – Ambala Cant.	Sub Division (Mech.), Ambala Cantt. Sub Division (Mech.), Karnal Sub Division (Mech.), Kurukshetra
		2.	PHED (GWI) – Rewari	1 Sub Division(GWI), Rewari Sub Division (Mech.), Faridabad Sub Division (Mech.), Nuh
		3.	PHED (Mech.) – Sonipat	Sub Division (GWI), Sonipat Sub Division (Mech.), Fatehabad Sub Division(Mech.), Jind
2.	Anywhere in the State			

Note.— The Sub Division or Division or Circle may increase or decrease in case of creation or abolition of offices by the Government.